

BILL NO. 90-11

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 90-11

Introduced by Council Members Fielder, Parrott, Risacher, Schafer, Hooper,
Legislative Day No. 90-9 Hatem and Wilson Date March 20, 1990

AN ACT to add new Article II, Fire Alarm Systems, to Chapter 84, Buildings, General, of the Harford County Code, as amended; to establish penalties for activating certain types of fire alarm systems in certain non-emergency situations; to establish penalties for continued use of certain defective fire alarm systems; to establish a notification requirement for a contractor who services certain fire alarm systems; to establish a penalty for violation of the notice requirement; to establish guidelines, procedures, and responsibilities for enforcement of this Act; and generally relating to fire alarm systems.

By the Council, March 20, 1990

Introduced, read first time, ordered posted and public hearing scheduled
on: April 17, 1990
at: 6:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 17, 1990, and concluded on, April 17, 1990

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 **WHEREAS**, Harford County's volunteer fire companies provide an
2 invaluable service to the county's citizens and, according to one
3 magazine's recent survey, are the busiest volunteer companies in
4 the United States, having answered 14,561 calls in 1988; and

5 **WHEREAS**, During the first nine months of 1989, the volunteer
6 fire companies responded to 212 alarms from automatic fire alarm
7 systems; and

8 **WHEREAS**, Of these alarms, 210 were false; and

9 **WHEREAS**, On average, the cost to fire companies for responding
10 to a false alarm is \$1,600; and

11 **WHEREAS**, The County Council believes that the effort, time and
12 resources that volunteer fire companies expend in answering false
13 alarms from automatic fire alarm systems reduces the effort, time
14 and resources the companies have available for legitimate fire
15 calls, thus endangering the safety of the county's residents; and

16 **WHEREAS**, It is the County Council's duty to protect the safety
17 of county residents.

18 NOW, THEREFORE,

19 Section 1. Be It Enacted By The County Council of Harford
20 County, Maryland, that Article II, Fire Alarm Systems, is hereby
21 added to Chapter 84, Buildings, General, of the Harford County
22 Code, as amended, all to read as follows:

23 Chapter 84. Buildings, General

24 ARTICLE II. FIRE ALARM SYSTEMS.

25 SECTION 84-2. DEFINITIONS.

26 A. IN THIS ARTICLE THE FOLLOWING WORDS HAVE THE MEANINGS

1 INDICATED.

2 B. "ALARM SYSTEM" MEANS:

3 (1) AN AUTOMATIC FIRE ALARM SYSTEM; AND

4 (2) A SYSTEM OF MANUAL FIRE ALARM STATIONS THAT PRODUCES
5 AN AUDIBLE SIGNAL WHEN ACTIVATED.

6 C. (1) "ALARM SYSTEM CONTRACTOR" MEANS A PERSON WHO
7 INSTALLS, MAINTAINS, MONITORS, ALTERS, OR SERVICES ALARM SYSTEMS.

8 (2) "ALARM SYSTEM CONTRACTOR" DOES NOT INCLUDE A PERSON
9 WHO SELLS OR MANUFACTURES ALARM SYSTEMS UNLESS THAT PERSON
10 INSTALLS, MAINTAINS, MONITORS, ALTERS, OR SERVICES ALARM SYSTEMS.

11 D. "ALARM USER" MEANS AN OCCUPANT OF A BUILDING, STRUCTURE,
12 OR FACILITY IN WHICH AN ALARM SYSTEM IS OPERATIONAL.

13 E. (1) "FALSE ALARM" MEANS THE ACTIVATION OF AN ALARM
14 SYSTEM THAT CAUSES A RESPONSE FROM A VOLUNTEER FIRE COMPANY, IF:

15 (a) THE ACTIVATION IS NOT IN RESPONSE TO AN ACTUAL
16 EMERGENCY; AND

17 (b) THE ACTIVATION IS NOT DELIBERATE.

18 (2) "FALSE ALARM" INCLUDES:

19 (a) A NEGLIGENTLY OR ACCIDENTALLY ACTIVATED ALARM
20 SIGNAL; AND

21 (b) AN ALARM SIGNAL ACTIVATED AS THE RESULT OF A
22 FAULTY, MALFUNCTIONING, OR IMPROPERLY INSTALLED OR MAINTAINED ALARM
23 SYSTEM.

24 (3) "FALSE ALARM" DOES NOT INCLUDE:

25 (a) AN ALARM SIGNAL ACTIVATED BY UNUSUALLY SEVERE
26 WEATHER CONDITIONS OR OTHER CAUSES BEYOND THE CONTROL OF THE ALARM

1 USER OR ALARM SYSTEM CONTRACTOR; OR

2 (b) AN ALARM SIGNAL ACTIVATED DURING THE FIRST 60
3 CALENDAR DAYS AFTER AN ALARM SYSTEM IS INSTALLED.

4 SECTION 84-3. FALSE ALARMS.

5 A. WHEN AN ALARM SYSTEM IS RESPONSIBLE FOR A FALSE ALARM,
6 THE EMERGENCY OPERATIONS DIVISION MAY ISSUE A CIVIL CITATION TO
7 THE ALARM USER IF THE ALARM SYSTEM HAS BEEN RESPONSIBLE FOR:

8 (1) 3 OR MORE FALSE ALARMS IN THE PREVIOUS 30 CALENDAR
9 DAYS; OR

10 (2) 5 OR MORE FALSE ALARMS IN THE PREVIOUS 12 MONTHS.

11 B. THE CIVIL CITATION SHALL INCLUDE A FINE OF:

12 (1) \$50 FOR THE FIRST CITATION; AND

13 (2) \$100 FOR ANY SUBSEQUENT CITATION.

14 SECTION 84-4. DEFECTIVE ALARM SYSTEMS.

15 A. FOR THE PURPOSES OF THIS SUBSECTION, AN ALARM SYSTEM IS
16 DEFECTIVE IF IT IS RESPONSIBLE FOR:

17 (1) MORE THAN 3 FALSE ALARMS IN A PERIOD OF 30 CALENDAR
18 DAYS; OR

19 (2) MORE THAN 5 FALSE ALARMS IN A PERIOD OF 12 MONTHS.

20 B. THE EMERGENCY OPERATIONS DIVISION SHALL PROVIDE WRITTEN
21 NOTICE TO THE ALARM USER OF A DEFECTIVE ALARM SYSTEM.

22 C. UPON RECEIVING NOTICE OF A DEFECTIVE ALARM SYSTEM, THE
23 ALARM USER SHALL:

24 (1) WITHIN 30 CALENDAR DAYS AFTER RECEIVING THE NOTICE,
25 HAVE THE ALARM SYSTEM INSPECTED BY AN ALARM SYSTEM CONTRACTOR; AND

26 (2) WITHIN 15 CALENDAR DAYS AFTER THE INSPECTION, FILE

1 A WRITTEN REPORT WITH THE EMERGENCY OPERATIONS DIVISION.

2 D. THE REPORT SHALL CONTAIN:

3 (1) THE RESULTS OF THE INSPECTION;

4 (2) A DESCRIPTION OF THE PROBABLE CAUSE OF THE FALSE
5 ALARMS; AND

6 (3) A DESCRIPTION OF ALL ACTIONS TAKEN TO PREVENT FUTURE
7 FALSE ALARMS.

8 E. THE EMERGENCY OPERATIONS DIVISION MAY ISSUE A CIVIL
9 CITATION TO AN ALARM USER WHO CONTINUES TO USE A DEFECTIVE ALARM
10 SYSTEM AFTER BEING NOTIFIED THAT THE SYSTEM IS DEFECTIVE. THE
11 CITATION SHALL INCLUDE A FINE OF \$200. EACH DAY A VIOLATION
12 CONTINUES IS A SEPARATE OFFENSE.

13 SECTION 84-5. NOTICE OF SERVICE.

14 A. AN ALARM SYSTEM CONTRACTOR SHALL NOTIFY THE EMERGENCY
15 OPERATIONS DIVISION BY TELEPHONE BEFORE SERVICING AN ALARM SYSTEM.

16 B. THE EMERGENCY OPERATIONS DIVISION MAY ISSUE A CIVIL
17 CITATION TO AN ALARM SYSTEM CONTRACTOR WHO VIOLATES SUBSECTION A
18 OF THIS SECTION IF, WHILE THE CONTRACTOR IS SERVICING AN ALARM
19 SYSTEM, THE SYSTEM IS RESPONSIBLE FOR A FALSE ALARM.

20 C. THE CIVIL CITATION SHALL INCLUDE A FINE OF:

21 (1) \$50 FOR THE FIRST CITATION; AND

22 (2) \$100 FOR ANY SUBSEQUENT CITATION.

23 SECTION 84-6. ENFORCEMENT

24 THE LAW DEPARTMENT SHALL ENFORCE CITATIONS ISSUED UNDER THIS
25 ARTICLE. THE ENFORCEMENT AUTHORITY GRANTED BY THIS SECTION
26 INCLUDES THE AUTHORITY TO BRING APPROPRIATE ACTIONS IN THE DISTRICT

1 COURT OF MARYLAND.

2
3 EFFECTIVE: July 2, 1990

4 The Secretary of the Council does hereby
5 certify that fifteen (15) copies of this Bill
6 are immediately available for distribution to
7 the public and the press.

8 Doris Poulsen, Secretary

BY THE COUNCIL

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Read the third time.

Passed LSD 90-12 (April 17, 1990)

Failed of Passage _____

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 18th day of April, 1990
at 3:00 o'clock p.M.

Doris Poulsen, Secretary

APPROVED:



BY THE EXECUTIVE

County ExecutiveDate 5-3-90

BY THE COUNCIL

This Bill, (No. 90-11), having been approved by the Executive
and returned to the Council, becomes law on May 3, 1990.

Doris Poulsen, Secretary

EFFECTIVE DATE: July 2, 1990